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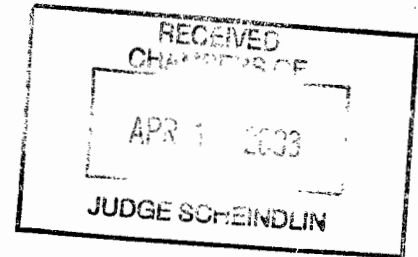
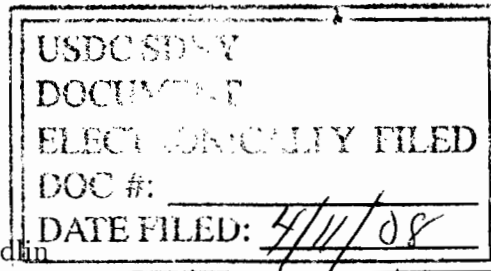
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April 10, 2008

**BY HAND**

Hon. Shira A. Scheindlin  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1620  
New York, New York 10007



Re: D.B. Zwirn Special Opportunities Fund, L.P. v. Tama  
Broadcasting, Inc., o8 CV 3125 (SAS)

Dear Judge Scheindlin:

3125(SAS)

Our client, Tama Broadcasting, Inc., requests that its outside FCC counsel, Percy Squire, Esq., be admitted *pro hac vice* to argue the issue of whether appointment of a temporary receiver with powers requested by plaintiff would violate Section 310(d) of the Federal Communications Act, and particularly to address the unpublished decision of the Ninth Circuit handed up by plaintiff's counsel at yesterday's hearing, *Phoenix Leasing Inc. v. Sure Broadcasting, Inc.*, 89 F.3d 846, 1996 WL 219608 (9th Cir. 1996) (decision without reported opinion). Pursuant to Ninth Circuit Rule 36-3, that decision is "not precedent" in this case. The result in that case is difficult to reconcile with *Kidd Communications v. FCC*, 427 F.3d 1 (D.C. Cir. 2005), which vacated the FCC's decision to approve the transfer of a broadcast license to a secured party pursuant to a court-ordered foreclosure.

Mr. Squire is a member of the Ohio bar. A copy of a recent certificate of good standing is enclosed herewith.

Mr. Squire is not available to appear in New York tomorrow and has asked me to request an adjournment of the continued hearing on plaintiff's motion for a temporary receiver to any day next week.

A copy of this letter is being delivered by hand and electronic mail to plaintiff's counsel.

Respectfully yours,

*David Wawro*

David Wawro

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Enclosure

cc: Steven R. Paradise, Esq., Vinson & Elkins, L.L.P.  
Michael Rella, Esq., Vinson & Elkins, L.L.P.

*Percy Squire may appear  
pro hac vice at the  
hearing scheduled for  
April 14, 2008. So Ordered.  
[Signature] ASDJ  
4/11/08*

# The Supreme Court of Ohio

## C E R T I F I C A T E

I, SUSAN B. CHRISTOFF, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Office of Attorney Services of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

Percy Squire

was admitted to the practice of law in Ohio on November 16, 1981; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court, this 28th day of February, 2008.

SUSAN B. CHRISTOFF  
*Director, Attorney Services Division*

  
Kim Moore  
*Attorney Registration Specialist*